**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928**

**WP(C).No. 329 of 2005(L)**
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**PETITIONER:**
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**V.LATHA KUMARI, AGED 31,**
**D/O.VIJAYA KUMARI, ARUN NIVAS,**
**PERUMPUZHA, ELAMPALLOOR VILLAGE, KOLLAM.**

**BY ADV. SMT.T.S.MAYA (THIYADIL)**

**RESPONDENTS:**
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***1. STATE OF INDIA, REP. BY**
**THE ASSISTANT SECRETARY, LOANS,**
**KERALA STATE HOUSING BOARD, THIRUVANANTHAPURAM.**

*** "STATE OF INDIA REP. BY" & THE NAME OF THE IST RESPONDENT IS READ AS "THE ASSISTANT SECRETARY, LOANS KERALA STATE HOUSING BOARD, THIRUVANANTHAPURAM".**
***AMENDED AS PER ORDER DATED 02/03/2007 IN IA NO. 3057/2007.***

**2. THAHSILDAR, REVENUE RECOVERY OFFICE,**
**KOLLAM.**

**BY ADV. SRI.A.JAYASANKAR, SC KSHB, TVM**
**GOVERNMENT PLEADER SMT. M.K.PUSHPALATHA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO: 329/2005**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1. COPY OF THE THE RECEIPTS.**

**EXT.P2. COPY OF THE ORDER DT. 8/1/2003.**

**EXT.P3. COPY OF THE REPRESENTATION SUBMITTED BEFORE THE R1.**

**EXT.P4. COPY OF THE ORDER OF R2 DT. 27/11/2004.**

**EXT.P5. COPY OF THE RECEIPT ISSUED BY R2 DT. 30/1/2007.**

**EXT.P6 & P6A: COPY OF THE PETITION SENT BY THE PETITIONER BEFORE THE R1 AND ITS POSTAL RECEIPT DT. 28/3/2005.**

*True copy*

**tga**

K.BALAKRISHNAN NAIR, J.

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W.P.(C).No.329 of 2005-L

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Dated this the 2nd day of March, 2007

**JUDGMENT**

The petitioner is in default to the Housing Board in relation to a housing loan of Rs.3 lakhs availed of by her, in 1997. The Board has issued Ext.P4 revenue recovery notice, proposing to recover the amount due to it, from her. This writ petition is filed challenging the said revenue recovery notice and also praying for a direction to furnish the statement of accounts.

2. The learned Standing Counsel for the Housing Board handed over the statement of accounts to the petitioner today. It is also submitted that the total amount as on this date is about Rs.10 lakhs. But, if the petitioner avails the benefit of one-time-settlement scheme, which will be in force upto 31-3-2007, she need pay only about Rs.6 lakhs.

3. The petitioner may inform the Housing Board whether she is willing to settle the loan account under the O.T.S. Scheme, within three weeks from today. In that event, the Housing Board shall extend the benefit of O.T.S. Scheme to her. Further recovery, pursuant to Ext.P4, will be kept in abeyance for one month from today. If the benefit of O.T.S. Scheme is availed by the petitioner, needless to

say, further recovery, if any, will be subject to the payment under that Scheme.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS